

**BEST AVAILABLE COPY****REMARKS**

Claims 1-7 are pending in the application. Claims 1-7 are rejected.

Claims 1, 3 and 4 are amended herein to clarify applicant's claimed invention. In addition applicant's claim 1 is clarified with regard to the combination of the frame tag attaching means and tag changing means. The claim amendments are supported by the original specification, for example, page 18, line 21 to page 20, line 12 and Fig. 9. No new matter is entered.

Claims 2, 5-7 are cancelled herein.

The Abstract is objected as having undue length. A substitute Abstract is attached herewith. No new matter is entered.

Claims 1-5 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Akiyoshi (U.S. 5,715,237). Claims 2, 5 and 7 have been cancelled obviating their rejection.

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Akiyoshi in view of Watanabe et al. (U.S. 6,246,665). Claim 6 has been cancelled herein.

With regard to applicant's claim 1, the preamble is clarified to recite the type of exchange equipment environment the claimed device is used with. Applicant's Figs. 1, 2, 7 or 9 show, for example, the exchange has an ATM switch, an ATM concentrator, and (N+1) line interface devices to interface with (N+1) ATM lines. The (N+1)th line interface device and the (N+1)th ATM line are provided as a spare line interface device and a spare ATM line, respectively.

In applicant's claim 1 the last four paragraphs form a wherein clause that recites how the routing control means will set up the frame tag attaching means and tag changing means in the event of trouble with the I-th ATM line and j-th line interface device. Because of applicant's

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unique combination of features two simultaneous troubles are dealt with: one with an ATM line, and the other with a line interface device. As pointed out above this specification describes this at page 18, line 21 to page 20, line 12 and Fig. 9.

Regarding the tag changing means, its admitted in the Office Action that Akiyoshi fails to teach this element.

In rejecting the original claim 6, however, the Office Action relies on Watanabe et al., equating the AIS tag setting section (Fig. 23, 16-4') with the tag changing means.

However Applicant respectfully disagrees with this assessment of Watanabe because Watanabe describes the AIS tag setting section as: "In the concentrator 16, the interface failure monitor section 16-1 detects a failure in the interface unit 15, and upon detection of such a failure, the AIS tag setting section (alarm cell information transmitter) 16-4' affixes a bit (information) indicative of an AIS cell into the tag area in the input cell and sends this cell to the ATM switch 12" (column 23, lines 26-31, underline added for emphasis).

The cited passage of Watanabe clearly indicates that the cell is sent to the ATM switch, as opposed to the face that the claimed (claim 1) tag changing means changes "tag values of outgoing cells sent from the ATM switch".

It is also submitted that in Watanabe the AIS tag in a cell does not affect the destination of the cell, whereas the tag changing means in applicant's claim 1 changes tag values of ATM cells to change their destinations. For those reasons, the AIS tag setting section 16-4' of Watanabe does not teach the tag changing means.


For at least the foregoing reasons it is respectfully submitted that claims 1, 3 and 4 are in condition for allowance.

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In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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Docket No.: FUJR 16.145 (100794-11225)  
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